

**ASSEMBLY BILL**

**No. 1206**

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**Introduced by Assembly Member Jerome Horton**

February 22, 2005

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An act to add Section 1227 to the Government Code, relating to public employment relations.

LEGISLATIVE COUNSEL'S DIGEST

AB 1206, as introduced, Jerome Horton. Public employment relations: peace officers.

The Meyers-Milias-Brown Act and the Ralph C. Dills Act, which governs public agency employer-employee relations and state employer-employee relations, respectively, permit a public agency employee representative of a recognized employee organization and a state employee representative of a recognized employee organization reasonable time off without loss of compensation or other benefits when formally meeting and conferring with representatives of the public employer on matters within the scope of representation.

This bill would require the appointing authority to grant to any person who is a peace officer under specified provisions of existing law, upon request, a leave of absence without loss of compensation for the purpose of enabling the peace officer to serve as an elected officer of any employee organization, or any statewide or national public employee organization with which the local or state employee organization is affiliated. The bill would provide that compensation during the leave would include retirement fund contributions required of the appointing authority as employer. The peace officer would earn full service credit during the leave of absence and would pay member contributions to the Public Employees' Retirement System. The bill would provide that following the state's or local agency's payment of

the peace officer for the leave of absence, the state or local agency shall be reimbursed by the employee organization to which the peace officer is an elected officer for all compensation paid the peace officer on account of the leave.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1227 is added to the Government Code,  
2 to read:

3 1227. (a) The appointing authority shall grant to any person  
4 who is a peace officer for the purposes of Chapter 4.5  
5 (commencing with Section 830) of Title 3 of Part 2 of the Penal  
6 Code, upon request, a leave of absence without loss of  
7 compensation for the purpose of enabling the peace officer to  
8 serve as an elected officer of any employee organization, or any  
9 statewide or national public employee organization with which  
10 the local or state employee organization is affiliated.

11 (b) The leave shall include, but is not limited to, absence for  
12 purposes of attendance by the peace officer at periodic, stated,  
13 special, or regular meetings of the body of the organization on  
14 which the peace officer serves as an officer. Compensation  
15 during the leave shall include retirement fund contributions  
16 required of the appointing authority as employer. The peace  
17 officer shall earn full service credit during the leave of absence  
18 and shall pay member contributions to the Public Employees'  
19 Retirement System as prescribed in Chapter 8 (commencing with  
20 Section 20671) of Part 3 of Division 5 of Title 2.

21 (c) Following the state's or local agency's payment of the  
22 peace officer for the leave of absence, the state or local agency  
23 shall be reimbursed by the employee organization to which the  
24 peace officer is an elected officer for all compensation paid the  
25 peace officer on account of the leave. Reimbursement by the  
26 employee organization shall be made within 10 days after its  
27 receipt of the state's or local agency's certification of payment of  
28 compensation to the peace officer.

29 (d) The leave of absence without loss of compensation  
30 provided for by this section is in addition to the released time  
31 without loss of compensation granted to representatives of an

1 exclusive representative by Section 3505.3 or 3518.5, as  
2 appropriate.

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